

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 10-19 are pending in this application. By this amendment Claims 1-9 are canceled and new Claims 10-19 are added. No new matter is introduced by any of the amendments. In particular, the amendments are supported by Figures 1 and 2.

The Office Action rejects Claims 5-7 under 35 U.S.C. § 112, first paragraph. Claims 1 and 3-8 are rejected under 35 U.S.C. § 112, second paragraph. These rejections are moot.

The Office Action rejects Claims 1 and 3-8 under 35 U.S.C. § 102(b) over U.S.P. 2,738,975 to Zaboy. These rejections are moot.

It is believed that a brief review of the subject matter of the independent claims would be helpful. In this regard independent Claim 1 is directed to an orthopaedic bed including a resting member with a curved surface. The curve of the curved surface is one direction only. A length of the curved surface is within an arc of 25-30 degrees of the curved surface. The supporting member supports the resting member.

Independent Claim 15 is directed to an orthopaedic bench including a resting member. The resting member includes first, second and third planar surfaces connected end to end respectively. The first planar surface has a first end defining an end of the bench. The third planar surface has a second end defining an other end of the bench. The distance from the first end of the planar surface to the second end of the third planar surface is located within an arc of from 25 to 30 degrees.

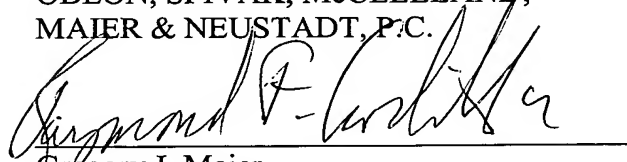
Zaboy discloses a body member 10 including a pair of curved sections 11 and 12 which are hinged together. The body member 10 extends over an arc of 40-45 degrees. Thus, in Zaboy a user is unable to lie on the bench with his head placed at a lower end and his feet placed on the ground and with the users knees being bent and at a higher position than

the user's spine or back relative to the ground. In Zaboy the user's entire body is placed on the bench.

As no further issues are believed to remain outstanding in the present application, it is believed that this application is in condition for formal allowance and an early and favorable action to that effect is therefore respectfully submitted.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Gregory J. Maier', is written over a horizontal line.

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